

### **AMENDMENTS TO THE DRAWINGS**

The attached "Replacement Sheet" of drawings includes changes to Figure 5. The attached "Replacement Sheet," which includes Figures 4 and 5, replaces the original sheet including Figures 4 and 5.

Figure 5 – Please add reference numeral 38 and its associated leader line.

Attachment: Replacement Sheet

## **REMARKS**

Claims 1-11 and 13-21 remain pending in the present application. The claims have not been amended in response to this Office Action.

## **DRAWINGS**

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. The drawings have been amended to overcome the objection. Withdrawal of the objection is respectfully requested.

## **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-11 and 13-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kashiwagi, et al. (U.S. Pat. No. 6,182,805) in view of Nezu, et al. (U.S. Pat. No. 5,586,627). Applicants respectfully traverse this rejection. Claim 1 defines a single valve assembly separate from the piston in direct communication with the upper and lower working chambers and reserve chamber. Valve 22 communicates directly with the upper working chamber through passage 130 (Figure 1); the lower working chamber through passage 132 (Figure 1; and the reserve chamber 38 through passage 98 (Figure 5). Please see our previous responses regarding the fluid flow of the present invention.

Kashiwagi, et al. is in direct communication with the upper working chamber through fluid passage 17 but valve 19 is not in direct fluid communication with the lower working chamber 2b.

As defined in the last paragraph of column 6 of Kashiwagi, et al. fluid flow during a contraction (compression) stroke of the shock absorber is detailed. As piston 5 moves downward, check valve 12 opens and fluid in the lower chamber 2b flows into the upper chamber 2a and to the reservoir 4 through a flow path similar to the extension stroke. Thus, valve 19 is not in direct fluid communication with lower working chamber 2b, it is in communication with lower working chamber 2b through check valve 12 and upper working chamber 2a.

Thus, Applicants believe Claim 1 patentably distinguishes over the art of record. Likewise, Claims 2-11 and 13-21, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: June 17, 2008

By: 

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